



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: Department of Community Services and Development

MULTI-COUNTY: Alliance of Schools for Cooperative Insurance Program

A written comment period has been established commencing on **July 8, 2008** and closing on **September 1, 2008**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **September 1, 2008**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. OFFICE OF INFORMATION SECURITY & PRIVACY PROTECTION

NOTICE IS HEREBY GIVEN that the Office of Information Security & Privacy Protection (hereinafter simply "OISPP") intends to adopt a regulation constituting a conflict of interest code for OISPP, as more fully described in the accompanying Informative Digest. Any person interested may submit statements, arguments, contentions or comments in writing relating to this proposed action, by transmitting such statements, arguments, contentions or comments by U.S. Mail, private courier, facsimile, or e-mail, directed to the address listed under "Contact Person" in this Notice. All such transmissions must be received at said addresses not later than 5:00 p.m. on **September 2, 2008**.

The OISPP does not intend to hold a public hearing in connection with the proposed action. Nonetheless, any interested person or his or her duly authorized representative may request, not later than 5:00 p.m. on **August 18, 2008**, a public hearing pursuant to Government Code section 11346.8. Any such request must be made in writing and directed to the address listed under "Contact Person" in this Notice.

The OISPP, on its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. The full text of any regulation changed pursuant to section 11346.8 of the Government Code will be available at the OISPP offices at 1325 J Street, Suite 1650, Sacramento, California, and on the OISPP website (www.OISPP.ca.gov), for 15 days prior to the date on which the OISPP adopts the resulting regulation.

The proposed action is undertaken pursuant to the authority vested by sections 87300-87302 and 87306 of the Government Code.

The OISPP must determine that no reasonable alternative considered by OISPP or that has otherwise been identified and brought to the attention of OISPP would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less

burdensome to affected private persons than the proposed action.

The adoption of the proposed code will not impose a cost or savings on any state agency, local agency or school district that is required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code; will not result in any non-discretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; will not impose a mandate on local agencies or school districts; and will not have any potential cost impact on private persons or businesses including small businesses, because the proposed regulation pertains to persons in designated positions who make or participate in the making of a governmental decision. Those persons will be required to submit annual financial disclosure statements.

The OISPP has initially determined that the proposed action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. In that regard, the proposed regulation pertains only to filing requirements for persons holding designated positions because it is anticipated that such persons make or participate in the making of governmental decisions. The proposed regulation will require such persons to file annual financial disclosure statements.

In connection with the proposed action, the OISPP has assessed the potential for adverse economic impact on California business enterprises and individuals, avoiding the imposition of unnecessary or unreasonable regulations or reporting, recordkeeping, or compliance requirements. The OISPP notes that the proposed action is required specifically by the terms of the Political Reform Act, and willful failure to adopt and promulgate a conflict of interest code would constitute a violation of law. The OISPP has also considered the proposed action's impact on business, with consideration of industries affected including the ability of California businesses to compete with businesses in other states, and has determined that no such impact will eventuate from the adoption of the proposed code, in that the adoption of the proposed code will have no impact on (A) the creation or elimination of jobs within the State of California, (B) the creation of new businesses or the elimination of existing businesses within the State of California, or (C) the expansion of businesses currently doing business within the State of California.

The OISPP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

INFORMATIVE DIGEST

OISPP intends to adopt new Chapter 4.1, entitled, "Office of Information Security & Privacy Protection," commencing with section 25100, within Division 8 of Title 2 of the California Code of Regulations.

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal.Code Regs. section 18730, originally issued on April 2, 1980, last amended January 1, 2007) that contains the terms of a standard conflict of interest code and that may be incorporated by reference in an agency's code. That standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of section 18730 of Title 2 of the California Code of Regulations, originally issued on April 2, 1980, last amended January 1, 2007, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference.

The proposed regulation, including an accompanying Appendix designating positions and establishing disclosure requirements, shall constitute the conflict of interest code of the OISPP.

INITIAL STATEMENT OF REASONS AND OTHER INFORMATION

The OISPP has prepared an initial statement of the reasons for the proposed action that constitutes a written explanation of the reasons for the designations of positions and the disclosure responsibilities contained in the proposed conflict of interest code. The OISPP also has available all the information upon which the proposed action is based, and has available the express terms of the proposed action. Copies of the express terms of the proposed regulation, the initial statement of reasons, and all of the information upon which the proposal is based, are available upon request from the Office of Information Security & Privacy Protection, 1325 J Street, Suite 1650, Sacramento, California 95814. Once it has been prepared pursuant to subdivision (a) of section 11346.9 of the Government Code, the final statement of reasons may be obtained by making a written request for the same to the "Contact Person" identified below.

CONTACT PERSON

Any inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Rae Lehutsky
Address: 1325 J Street, Suite 1650
Sacramento, California 95814
Telephone No.: (916) 323-7300
Fax No.: (916) 323-7299
E-Mail Address: rae.lehutsky@oispp.ca.gov

Backup Contact Person

Name: Dana Winterrowd
Address: 1325 J Street, Suite 1650
Sacramento, California 95814
Telephone No.: (916) 323-7300
Fax No.: (916) 323-7299
E-Mail Address: dana.winterrowd@oispp.ca.gov

Website Access: Materials regarding this proposal can be obtained through the OISPP's website, located at www.oispp.ca.gov.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on April 2, 2008. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than September 29, 2008.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture adopted Section 3433, of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on April 2, 2008. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than October 14, 2008.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the actions proposed to the agency officer named below on or before September 1, 2008.

Following the public hearing and the written comment period, the Department of Food and Agriculture

may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 180 days of the emergency regulation.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

The amendments of Section 3433 established additional quarantine areas for the pest *Diaprepes abbreviatus*, Diaprepes root weevil: 1) expanded the Rancho Santa Fe area and the San Diego area of San Diego County. The effect of these amendments was to provide authority for the State to regulate the movement of the articles and commodities covered which may move life stages of the Diaprepes root weevil from, into, and within that area under quarantine. This action is necessary to prevent artificial spread of the weevil to noninfested areas to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3433 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3433. No reimbursement is required for Section 3433 under Section 17561 of the Government Code because the Agricultural Commissioner of San Diego County requested the change in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business located within the regulated area may be significant. An average infested ornamental production nursery producing plants in one-gallon containers may incur initial costs of \$334 to \$527 per acre per six month period and; thereafter, ongoing costs of \$214.75 to \$456.25 per acre per six month period in reasonable compliance with the proposed action. Approximately 65,000 one-gallon containers may be placed upon one acre. This translates into an initial increased production cost of \$0.005 to 0.008 per one gallon container and an ongoing production cost of \$0.003 to 0.007 per one gallon container of nursery stock every six months. The actual costs may vary with the type, size and production practices of the affected businesses.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department proposes to amend Section 3433 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017.

Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet web-site (www.cdfa.ca.gov/cdfa/pendingregs).

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulation in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3591.5, subsection (a), of the regulations in Title 3 of the California Code of Regulations pertaining to Mediterranean Fruit Fly Eradication Area as an emergency action that was effective on June 23, 2008. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than December 20, 2008.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before September 1, 2008.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts, and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

Section 3591.5, subsection (a), was amended and established Tulare County as an eradication area for Mediterranean fruit fly, *Ceratitidis capitata*. The effect of this action was to establish authority for the State to conduct eradication activities in Tulare County against this pest. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3591.5 does not impose a mandate on local agencies or school districts and no reimbursement is required for Section 3591.5 under Section 17561 of the Government Code. The Department also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed actions will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed actions will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON AFFECTED PRIVATE PERSON OR BUSINESSES

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed adoption and amendment to the regulations would not (1) create or eliminate jobs within California,

(2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

AUTHORITY

The Department proposes to amend Section 3591.5, subsection (a), pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes to amend Section 3591.5, subsection (a), to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The proposed amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (<http://www.cdfa.ca.gov/phpps/Regulations.html>).

AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3700(c) of the regulations in Title 3 of the California Code of Regulations pertaining to Oak Mortality Disease Control as an emergency action on June 9, 2008. The Department proposes to continue the regulation as amended and submit a Certificate of Compliance for this action to the Office of Administrative Law no later than December 6, 2008.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department contact no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with the provisions of Section 11346.1 of the Government Code within 180 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before September 1, 2008.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322).

The proposed emergency amendment of Section 3700(c) will establish *Cercis chinensis* (Chinese redbud) and *Magnolia figo* (banana shrub) as associated articles under the articles and commodities covered by the regulation.

The effect of the changes to the regulation is to provide authority for the State to regulate movement of these new "associated hosts" from the regulated area to prevent artificial spread of the pest to non-infested areas to protect California's agricultural industry and the environment.

COST TO LOCAL AGENCIES AND
SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the amendment of Section 3700(c) does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under regulation has a duty to enforce Section 3700. No reimbursement is required for Section 3700 under Section 17561 of the Government Code because the agricultural commissioners of the affected counties requested the change in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting

California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of amending the regulation on a representative private person or business is not expected to be significantly adverse. The agency is not aware of any new cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new businesses or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department amended subsection 3700(c) pursuant to the authority vested by Sections 407, 5321 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended subsection 3700(c) to implement, interpret and make specific Sections 24.5, 5321 and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESSES

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted on its Internet website (www.cdfa.ca.gov/phpps/Regulations.html) the information regarding this proposed regulatory action. Select "Proposed Changes in Regulations for Plant Health and Pest Prevention Services" and then section number(s).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the au-

thority vested by sections 200, 202, 205, 215 and 220 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 215 and 220, of said Code, proposes to amend subsection 29.85(a)(2)(A), Title 14, California Code of Regulations, relating to Dungeness crab.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current regulations of subsection 29.85(a)(2)(A), Title 14, CCR specify that Dungeness crab may be taken recreationally from the last Saturday in November through July 30 in Del Norte, Humboldt and Mendocino counties. Depending on the calendar year, northern California recreational Dungeness crab fishermen have a maximum of seven days and a minimum of one day advance fishing opportunity before the commercial season begins. However, since commercial crab traps may be baited and set in advance of the opening day, this year (2008) commercial fishermen will be able to set gear before the sport season opens.

The commercial crab season in districts six, seven, eight and nine (Del Norte, Humboldt and Mendocino counties) opens on December 1 (unless it is delayed by the Director pursuant to FGC Section 8276.2) and closes on July 15, by authority of FG Code section 8276. In addition, FG Code section 8283 allows the Director to specify a date and time when commercial crab traps may be baited and set in advance of the opening day. This has traditionally been a 64 hour pre-soak period.

The presumed intent of the sport fishery opening date in advance of the commercial season opening date was to give the sport fishermen a brief period of time to fish for Dungeness crab without competition from commercial fishermen and their gear. The result, though, is that in some seasons, such as 2008/09, the sport crabbing season will not begin until after the commercial fishermen have had an advance opportunity to set their gear in the prime crab areas. Currently, with the traditional 64 hour commercial pre-soak period, sport fishermen in northern counties can encounter commercial gear on about 40 percent of their opening days.

The Department received several dozen faxes, letters and phone calls since last November from northern California sport fishermen, requesting more Dungeness crab fishing time for the sport fishery prior to the commercial season. Sport fishermen claim that once the commercial fishery begins, they can't catch any "decent" sized crab and they can't find an open place nearshore for their crab traps. The issue of an earlier sport fishery opening date was addressed by the Commission in 2006 in response to testimony at a Commission meet-

ing from a sport fisherman, Mr. John Duffy, who requested a uniform statewide November 1st opening date for Dungeness crab. Commission records indicate that the uniform November 1st opening date request was rejected by the Commission. However, regulatory language regarding the season opener was changed with the 2007/08 season for both regions, in order to make the language less confusing (amendment of subsections (a)(2)(A)–(B) operative 2–28–2007). In central California, it was changed from 'the Saturday before the second Tuesday in November' to the 'first Saturday in November'; while in northern California the language was changed from 'the Saturday before December 1st' to 'the last Saturday in November'.

The proposed regulations would allow the Commission to change the sport fishery opening date in the northcoast to either the first or third Saturday in November.

Proposed Dungeness crab sport fishery regulation changes — T14, subsection 29.85(a)(2)(A)

29.85 Crabs. (a) Dungeness crab (*Cancer magister*):
(2) Open Season: (A) Del Norte, Humboldt and Mendocino counties: [(Option 1) From the first last Saturday in November through July 30] OR [(Option 2) From the third last Saturday in November through July 30].

If adopted for the 2008/09 season, under Option (1) north coast fishermen would have an additional 28 days of fishing prior to the commercial opening, and under Option (2) north coast fishermen would have an additional 14 days of fishing prior to the commercial opening (not including the commercial pre-soak allowance). In any particular season, the fewest pre-commercial season fishing days possible under Option (1) would be 23 days, and nine days under Option (2). An increase in crab fishing opportunity could help to offset lost opportunity in other fisheries, such as salmon and groundfish.

Option (1) simplifies statewide regulations by establishing a uniform opening date for the recreational Dungeness crab fishery throughout the entire state, while Option (2) provides a similar number of days for the recreational fishery prior to the onset of commercial fishing in both the north coast and central coast management regions. Option (2) also reduces the likelihood of encountering soft crab compared to Option (1).

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the City of Carpinteria, City Council Chambers, 5775 Carpinteria Avenue, Carpinteria, California, on Friday, August 8, 2008, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, rele-

vant to this action at a hearing to be held at Truckee Donner Public Utilities District, 11570 Donner Pass Road, Truckee, California on Friday, September 5, 2008, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before August 22, 2008, at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on September 2, 2008. All comments must be received no later than September 5, 2008, at the hearing in Truckee, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in **strikeout—underline** format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sheri Tiemann at the preceding address or phone number. **Marija Vojkovich, Marine Region, phone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: There is no anticipated significant increase or decrease in costs to either Department administrative, biological or enforcement divisions, associated with the proposed project. An earlier opening season in Del Norte, Humboldt and Mendocino counties may increase fishing effort by some unknown, but limited amount, while shifting effort from later to earlier dates.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None

- (f) Programs mandated on Local Agencies or School Districts: None

- (g) Costs Imposed on Any Local Agency or School District that is required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None

- (h) Effect on Housing Costs: None

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS

Title 16, Division 4. Board of Chiropractic Examiners.

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter "board") is proposing to amend regulations described in the Informative Digest below. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at the hearing to be held:

2525 Natomas Park Drive, Suite 100
Sacramento, CA 95834

Date: September 1, 2008
Time: 10 am

Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received in the board's office no later than 5:00 p.m. on September 1, 2008, or must be received by the board at the hearing. The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 1000–4(b) and 1000–10 of the Business and Professions Code; and the Chiropractic Initiative Act of California Stats. 1923. 1xxxviii., and to implement, interpret or make specific Sections 1000–4(b), and 1000–10, of said Code; the board is considering changes to Title 16, Division 4, of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Add Section 389:

The Chiropractic Initiative Act Section 1000–4(b) authorizes the board to adopt as they may deem proper and necessary for the performance of its work, the effective enforcement and administration of this act, the establishment of educational requirements for license renewal, and the protection of the public.

Currently, the board has no informal method of enforcement for minor violations that do not rise to the level of citation or an accusation. Adoption of this proposal is necessary to provide the board's enforcement program with additional tools for enforcing compliance with applicable laws and regulations, which increases consumer protection.

FISCAL IMPACT STATEMENTS

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non–discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: None

Business Impact:

The board initially determined that the proposed regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have any impact on creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in California.

Cost Impact on Representative Private Person or Business:

The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

This proposal provides the board with additional tools for enforcing compliance with applicable laws and regulations governing the practice of chiropractic, and will not result in additional costs because licensees are not to be fined or otherwise monetarily punished.

Effect on Housing Costs: None

Effect on Small Business:

The board has determined that this regulatory proposal may have an effect on small businesses/licensees who fail to comply with the board's laws and regulations.

CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative that it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearings.

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

The board has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from

April Alameda, Program Analyst
2525 Atoms Park Drive, Suite 260
Sacramento, California 95833
(916) 263-5329
Fax (916) 263-5369
aalameda@chiro.ca.gov

**AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS
AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the web site, www.chiro.ca.gov.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Name: April Alameda, Program Analyst
Address: 2525 Natomas Park Drive, Suite 260
Sacramento, California 95833
Telephone: (916) 263-5329
Fax (916) 263-5369
E-mail: aalameda@chiro.ca.gov

Back-up Contact person:

Name: Brian Stiger, Executive Officer
Address: 2525 Natomas Park Drive, Suite 260
Sacramento, California 95833
Telephone: (916) 263-5355
Fax (916) 263-5369
E-mail: chiro.info@chiro.ca.gov

Web Site Address: Materials regarding this proposal can be found at www.chiro.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

**CALIFORNIA DEPARTMENT OF
FISH AND GAME
CONSISTENCY DETERMINATION
Fish and Game Code Section 2080.1
Tracking Number 2080-2008-014-03**

PROJECT: San Pablo Dam Seismic Upgrade Project
LOCATION: San Pablo Reservoir, unincorporated Contra Costa County
NOTIFIER: East Bay Municipal Utilities District

BACKGROUND

The San Pablo Dam Seismic Upgrade Project (Project) includes removing the existing buttress, improving the foundation alluvium beneath the downstream toe of the dam, and constructing a larger downstream buttress. The foundation alluvium will be treated in-situ by mixing the soil with cement grout for a width of approximately 150 feet. The new downstream buttress will be constructed with well-compacted fill with a slope of 3:1 to an elevation of 280 feet. The existing drainage channel located downstream of the dam will be regraded and recontoured to design capacity.

Seismic upgrade of San Pablo Dam will occur within the approximately 40 acre project area. Construction laydown, stockpile areas, and upgrade activities will occur within an approximately 33 acre area downstream of the dam. Vegetation removal including removal of approximately 2.62 acres of wetlands will occur during the Project.

The Alameda whipsnake (*Masticophis lateralis euryxanthus*) has been documented approximately three miles northeast of the Project area on a dirt road that extends from San Pablo Dam and three miles southeast of the Project area at Tilden Regional Park. Suitable habitat exists immediately to the east and west of the Project site and the dam face likely connects these two areas with suitable dispersal habitat. Alameda whipsnake is listed as a threatened species under both the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 *et seq.*) and the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*). The Project will temporarily impact approximately 40 acres of Alameda whipsnake habitat. The U.S. Fish and Wildlife Service (USFWS) has determined it is likely the Alameda whipsnake may disperse through or temporarily inhabit the Project area based on the biology and ecology of the species, the Project area's adjacent habitat, and the presence of suitable habitat within the area. Based on this and other information USFWS concluded that the Project will likely result in a number of adverse effects to the Alameda whipsnake, including incidental take of the species.

Because the Project has the potential to take a species listed under ESA the U.S. Army Corps of Engineers (ACOE), on behalf of East Bay Municipal Utilities District (EBMUD), consulted with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the ESA. On April 15, 2008, the USFWS issued a Biological Opinion (Ref. No. 81420-2008-F-0253)(BO) and incidental take statement (ITS), which describe the Project, including conservation measures developed to minimize impacts to Alameda whipsnake, and set forth measures to mitigate any remaining impacts to Alameda whipsnake and its habitat. On May 22, 2008, the BO was amended (Ref. No. 81420-2008-F-0253-R001) to include additional measures regarding mitigation and funding assurances for impacts to Alameda whipsnake. On June 17, 2008, the BO was amended (Ref. No. 81420-2008-F-0253-R002) to include additional measures regarding funding assurances and land acquisition for impacts to Alameda whipsnake. On June 18, 2008, the Director of the Department of Fish and Game (DFG) received correspondence from Lee Miles Bradford on behalf of EBMUD, requesting a determination pursuant to section 2080.1 of the Fish and Game Code that the BO, including its ITS and amendments, is consistent with CESA.

DETERMINATION

DFG has determined that the BO as amended on May 22, 2008 and June 17, 2008, including its ITS, is consistent with CESA because the mitigation measures therein meet the conditions set forth in Fish and Game Code section 2081, subparagraphs (b) and (c), for authorizing

incidental take of CESA-listed species. Specifically, DFG finds that the take of Alameda whipsnake will be incidental to an otherwise lawful activity (i.e., removing the existing buttress, improving the foundation alluvium beneath the downstream toe of the dam, and constructing a larger downstream buttress), the mitigation measures identified in the biological opinion will minimize and fully mitigate the impacts of the authorized take of Alameda whipsnake, and the project will not jeopardize the continued existence of the species. The mitigation measures in the BO and the amended BO include, but are not limited to, the following:

Habitat Compensation Measures

- EBMUD will permanently protect approximately 37 acres at the Scow Canyon Mitigation Area by placing a conservation easement, in favor of DFG or an approved third party entity, on the property by January 1, 2009. If DFG is not the easement holder, it will be named as a third party beneficiary.
- By January 1, 2009, EBMUD will develop and obtain DFG and USFWS approval of a management plan to ensure habitat is restored, enhanced and maintained at the Scow Canyon Mitigation Area. The management plan will contain specific tasks and activities to be performed at the Mitigation Area and will contain a proposed endowment principal amount based on a PAR or PAR-equivalent calculating tool. EBMUD will fund the land management endowment and a conservation easement monitoring endowment by January 1, 2009.
- Prior to Project impacts, EBMUD will ensure funding for performance of all required mitigation by providing an Irrevocable Letter of Credit (LOC) or other mechanism in an amount approved by USFWS and DFG. The LOC will be in an amount sufficient to secure land acquisition (based on the value of a property of equivalent value to the Scow Canyon Mitigation Area) and land management and conservation easement monitoring endowment principles (estimated based on a draft management plan). EBMUD will be responsible to fully fund all actual costs of the endowments based on the amounts approved in the final management plan.

Minimization and Monitoring Measures

- Prior to the start of construction, all construction personnel will receive training that includes Alameda whipsnake identification and photographs, habitat description, limits of construction activities in the Project area, and guidance regarding general measures being implemented to conserve the Alameda whipsnake as it relates to this Project.

- A USFWS–approved biologist will be on site during all ground–disturbing activities. Upon completion of these activities the USFWS–approved biologist may designate an on–site monitor to ensure compliance with the BO for the duration of the Project. Both the approved biologist and the onsite monitor will have the authority to halt any activity if an Alameda whipsnake is encountered or there is a violation of the BO.

Take Avoidance Measures

- No more than 48 hours prior to vegetation clearing within the Project area, preconstruction surveys for Alameda whipsnake will be conducted.
- After conducting preconstruction surveys, EBMUD will install exclusion fencing to prevent Alameda whipsnake from entering the disturbance area.
- To prevent Alameda whipsnake from becoming entangled or trapped, plastic mono–filament netting (erosion control matting) or similar material will not be used at the project site.

Based on this consistency determination, EBMUD does not need to obtain authorization from DFG under CESA for take of Alameda whipsnake that occurs in carrying out the Project, provided EBMUD implements the Project as described in the BO as amended (including the Conservation Measures), and complies with the mitigation measures and other conditions described in the BO and ITS, including the amendments. However, if the Project as described in the BO, including the mitigation measures therein, changes after the date of the BO, or if the USFWS again amends or replaces the BO, EBMUD will need to obtain from DFG a new consistency determination (in accordance with Fish and Game Code section 2080.1) or a separate incidental take permit (in accordance with Fish and Game Code section 2081).

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

File# 2008–0520–01
AIR RESOURCES BOARD
Ocean–Going Vessels within California Waters

This action without regulatory effect corrects the location (latitude and longitude) of the point demarking the southernmost offshore corner of CARB’s definition of “Regulated California Waters (RCW)” for regulation of emissions from ocean–going vessels coming to California ports.

Title 13, 17
California Code of Regulations
AMEND: 2299.1, 93118
Filed 07/02/2008
Agency Contact: Amy Whiting (916) 322–6533

File# 2008–0625–02
AIR RESOURCES BOARD
Conflict of Interest

The Air Resources Board is amending section 95005, title 17, California Code of Regulations, a portion of its conflict of interest code. The changes were approved for filing by the Fair Political Practices Commission on June 6, 2008.

Title 17
California Code of Regulations
AMEND: 95005
Filed 07/08/2008
Effective 08/07/2008
Agency Contact: Lori Andreoni (916) 322–5594

File# 2008–0618–02
BOARD OF CHIROPRACTIC EXAMINERS
Citations and Fines

This regulatory action authorizes the assessment of fines in the range of not less than \$100 or more than \$5,000 for any violations of any laws or regulations governing the practice of chiropractic, repeals existing section 390.2 which currently limits citations to specific violations, and provides that a licensee’s compliance with an order of abatement or payment of a fine based upon a finding of a violation may only be disclosed to the public as a satisfactory resolution of the matter.

Title 16
California Code of Regulations
AMEND: 390, 390.1, 390.3, 390.4, 390.5, and 390.6
REPEAL: 390.2
Filed 07/02/2008
Effective 08/01/2008
Agency Contact: April Alameda (916) 263–5329

File# 2008-0523-04

BOARD OF OPTOMETRY

To establish licensing requirement equivalency

This rulemaking adds a subsection to the regulation on Therapeutic Pharmaceutical Agents (TPAs). The new subsection will enable out-of-state licensed optometrists, who wish to be licensed in California and to use topical Therapeutic Pharmaceutical Agents on patients, to obtain a waiver of the California Business and Professions Code Section 3041.3(b) 65-hour preceptorship requirement. To obtain this waiver, out-of-state licensed optometrists must, among other things, have met the other state's TPA use requirements and been in continuous practice using TPAs for five years immediately preceding submission of his/her application for a California optometrist license.

Title 16

California Code of Regulations

AMEND: 1568

Filed 07/03/2008

Effective 07/03/2008

Agency Contact: Gary Randolph (916) 575-7173

File# 2008-0523-01

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

Change Without Regulatory Effect

The Department of Alcohol and Drug Programs (ADP) is proposing a nonsubstantive amendment to sections 9515(d) and 10522(b) of Title 9 of the California Code of Regulations. ADP seeks to remove language specifying minimum, median, and maximum times for departmental approval of applications which was at one time required by the Permit Reform Act (section 15374 of the Government Code). The Permit Reform Act was repealed in 2003. The amendments will not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element as it removes obsolete language for which the statutory authority has been repealed.

Title 9

California Code of Regulations

AMEND: 9515(d), 10522(b)

Filed 07/02/2008

Agency Contact: Mary Conway (916) 445-0834

File# 2008-0619-02

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Behavior Management Unit

This regulatory action was certified by the Department as an operational necessity pursuant to Penal Code

section 5058.3 and is deemed an emergency by the Legislature. This emergency regulatory action establishes a Behavior Modification Unit to provide alternate General Population housing and programming for those inmates who are (1) deemed program failures, (2) found guilty of a Security Housing Unit offense and whose in-custody behavior reflects a propensity towards disruptive behavior, (3) are released from the Administrative Segregation Unit/Security Housing Unit, or (4) engage in gang related activity

Title 15

California Code of Regulations

ADOPT: 3334 AMEND: 3000

Filed 07/08/2008

Effective 07/08/2008

Agency Contact:

Fernando Azevedo

(916) 323-6156

File# 2008-0527-02

DEPARTMENT OF FOOD AND AGRICULTURE

Light Brown Apple Moth Interior Quarantine

This is the certification of five emergency files (07-1214-01; 08-0125-03; 08-0206-02; 08-0219-02; and, 08-0304-01). It continues quarantine areas with respect to the light brown apple moth (*Epiphyas postvittana*) in the counties of Contra Costa, Santa Clara, San Mateo, San Francisco, Marin, and Alameda.

Title 3

California Code of Regulations

AMEND: 3434(b)

Filed 07/09/2008

Effective 07/09/2008

Agency Contact: Stephen Brown (916) 654-1017

File# 2008-0604-01

DEPARTMENT OF JUSTICE

Bond Form

This is an adoption of the new "Blanket Performance and Payment Bond" form of the Contractors State License Board that has been approved by the Attorney General pursuant to Government Code section 11110. The form is submitted to OAL for filing with the Secretary of State and printing only.

Title 11

California Code of Regulations

ADOPT: 30.14

Filed 07/08/2008

Effective 07/08/2008

Agency Contact: Anne M. Burr

(415) 703-1403

File# 2008-0530-02

DEPARTMENT OF SOCIAL SERVICES

Family Connections for Foster Youth, Foster Care Provider Training

This rulemaking action adopts and amends regulations to incorporate anti-discrimination provisions which protect children in foster care and foster care license applicants. The rulemaking also adds provisions requiring facilitation of contact between children in foster care and siblings, extended family members, and other significant persons. The rulemaking strengthens training requirements for foster care service providers and adds a requirement that someone trained in First Aid and CPR is always present in a foster home when the child is present. The rulemaking also adds disclosure requirements for foster care license applicants and requires foster family agencies to do reference checks on applicants seeking to become licensed.

Title 22, MPP

California Code of Regulations

ADOPT: 88054, 89318 AMEND: 80017, 83017, 83064, 83075, 84065, 84068.2, 84090, 84165, 84265, 86065, 86068.2, 86517, 88001, 88022, 88031, 88065.3, 88068.2, 88069.7, 89317, 89378, 89405

Filed 07/09/2008

Effective 08/08/2008

Agency Contact: Sandra Ortega (916) 657-3174

File# 2008-0528-08

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

PBR for Treatment of Aqueous Wastes Containing Cyanides

DTSC is authorizing treatment of wastewaters containing cyanide through a Permit by Rule. This permit requires a facility to notify the local Certified Unified Program Agency of the treatment activity, and applies only to treatment of hazardous waste carried out on the site where the hazardous waste was generated.

Title 22, 27

California Code of Regulations

AMEND: Title 22, 67450.11; Title 27, Div. 3, subd. 1, Chapter 4C. and Chapter 6

Filed 07/07/2008

Effective 08/06/2008

Agency Contact: Laura Hayashi (916) 322-6409

File# 2008-0522-05

**FISH AND GAME COMMISSION
Central Valley Salmon Sport Fishing**

This regulatory action imposes bag limit reductions for the Central Valley salmon fisheries in response to

federal action in the ocean and projected low Central Valley Chinook salmon abundance. Based on historical returns, it allows for very limited access to late-fall Chinook in some areas.

Title 14

California Code of Regulations

AMEND: 7.50

Filed 07/02/2008

Effective 07/02/2008

Agency Contact: Sherrie Koell (916) 654-9866

File# 2008-0523-03

FISH AND GAME COMMISSION

Commercial Fishing Permit Renewal Provisions

This action amends existing commercial fishing permit regulations by substituting statutory specifications for applicable late fees, late fee deadlines, and late renewal appeal provisions codified in Fish and Game Code section 7852.2.

Title 14

California Code of Regulations

ADOPT: 124.1 AMEND: 122, 125, 149.1, 150, 150.02, 150.03, 150.05, 163, 163.5, 164, 174, 180.3

Filed 07/08/2008

Effective 07/08/2008

Agency Contact: Sheri Tiemann (916) 654-9872

File# 2008-0528-10

**MANAGED RISK MEDICAL INSURANCE
BOARD**

HFP Disenrollment/Waiting List

This regulatory action establishes two measures to limit enrollment in the Healthy Families Program should that become necessary. It provides authority for the Board to first establish a waiting list for new applications. If that does not sufficiently limit expenditures, this action then allows the Board to disenroll subscriber children at their Annual Eligibility Review, putting them on the waiting list. This action also describes how children on the waiting list may become eligible.

Title 10

California Code of Regulations

ADOPT: 2699.6602, 2699.6604 AMEND: 2699.6603, 2699.6605, 2699.6607, 2699.6608, 2699.6611, 2699.6625

Filed 07/07/2008

Effective 07/07/2008

Agency Contact: Randi Turner (916) 327-8243

File# 2008-0523-05

**MEDICAL BOARD OF CALIFORNIA
Delegation of Services Agreement**

This amendment does the following: 1. names the document that delegates services from a physician to a

physician assistant as a “delegation of services agreement”; 2. requires that it be dated and signed by both the physician assistant and each physician delegating services; 3. allows for multiple physicians to sign only if the same service is being delegated by each; and, 4. allows physician assistants to have more than one “delegation of services” agreement.

Title 16

California Code of Regulations

AMEND: 1399.540

Filed 07/08/2008

Effective 08/07/2008

Agency Contact: Kelly Nelson (916) 263-6668

File# 2008-0618-01

STATE LANDS COMMISSION

Marine Invasive Species Control Fund Fee

This rulemaking increases the fee, imposed pursuant to Public Resources Code section 71215, for each vessel voyage from \$400 to \$625 per voyage. Additional changes include a formula to increase the fee in subsequent years based on extrinsic factors.

Title 2

California Code of Regulations

AMEND: 2271

Filed 07/08/2008

Effective 08/01/2008

Agency Contact: Maurya Falkner (916) 574-2568

File# 2008-0606-01

STRUCTURAL PEST CONTROL BOARD

Structural Integrated Pest Management

This regulatory action defines the term structural integrated pest management (IPM) and intervention to allow the Board to proceed with the adoption of IPM educational requirements for licensees and applicants.

Title 16

California Code of Regulations

ADOPT: 1984

Filed 07/09/2008

Effective 08/08/2008

Agency Contact: Ryan Vaughn (916) 561-8730

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN FEBRUARY 6, 2008 TO
JULY 9, 2008**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For fur-

ther information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

04/24/08 AMEND: Appendix A

02/25/08 ADOPT: 48, 50, 52 AMEND: 55

Title 2

07/08/08 AMEND: 2271

06/26/08 AMEND: 554.2, 554.3

06/17/08 ADOPT: div. 8, ch. 112, sec. 59570

06/11/08 AMEND: 18360, 18361

06/11/08 ADOPT: 18421.7 AMEND: 18401

06/11/08 ADOPT: 18944.2 REPEAL: 18944.2

05/21/08 ADOPT: 59580

05/14/08 ADOPT: 18413

05/13/08 ADOPT: 59620

05/06/08 AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009

04/30/08 AMEND: 1859.2, 1859.61, 1859.81, 1859.82, 1859.83, 1859.202, 1866, Form SAB 50-04 (Rev. 01/08)

04/29/08 ADOPT: 1859.190, 1859.191, 1859.192, 1859.193, 1859.193.1, 1859.194, 1859.195, 1859.196, 1859.197, 1859.198, 1859.199 AMEND: 1859.2, 1859.51, 1859.81, Form SAB 50-04 (Revised 01/08), Form SAB 50-05 (Revised 01/08), Form SAB 50-10 (Revised 01/08)

04/24/08 ADOPT: 1183.081, 1183.131, 1183.30, 1183.31, 1183.32 AMEND: 1181.1, 1181.2, 1181.3, 1183, 1183.01, 1183.04, 1183.08, 1183.11, 1183.13, 1183.14, 1183.3, 1188.3

04/10/08 AMEND: 1866, 1866.4.3, 1866.13, Form SAB 40-22 (Rev. 10/07)

04/09/08 AMEND: 18997

03/28/08 ADOPT: 59630

03/24/08 AMEND: 18735

03/19/08 AMEND: 55300

03/19/08 AMEND: 549.90

03/19/08 AMEND: 18200

03/03/08 AMEND: 1859.76, 1859.83, 1859.104.3

02/25/08 AMEND: 549.80

02/25/08 AMEND: 714

Title 3

07/09/08 AMEND: 3434(b)

06/30/08 AMEND: 3589(a)

06/24/08 AMEND: 3963

06/24/08 AMEND: 3060.3

06/23/08 AMEND: 3591.5(a)

06/17/08 AMEND: 2751

06/16/08 AMEND: 3434(b)
 06/11/08 AMEND: 3434(b)
 06/09/08 AMEND: 3700
 06/04/08 AMEND: 3434(b)
 05/23/08 AMEND: 3434(b)
 05/23/08 AMEND: 1438.7, 1438.17
 05/07/08 AMEND: 3434(b)
 05/05/08 AMEND: 3406(b)
 05/02/08 AMEND: 3417(b)
 05/02/08 AMEND: 3434
 04/30/08 AMEND: 3591.20
 04/23/08 AMEND: 6550
 04/21/08 AMEND: 3700
 04/18/08 AMEND: 3434(b)
 04/16/08 AMEND: 3434(b) & (c)
 04/15/08 AMEND: 3433(b)
 04/08/08 AMEND: 3434(b)
 04/02/08 AMEND: 3433(b)
 04/02/08 AMEND: 3433(b)
 04/01/08 ADOPT: 821, 821.1, 821.2, 821.3, 821.4, 821.5 REPEAL: 784, 784.1, 784.2, 800, 800.1, 801, 802
 03/26/08 AMEND: 3434(b)
 03/21/08 AMEND: 3434(b)
 03/19/08 AMEND: 6620
 03/17/08 AMEND: 3434(b)
 03/17/08 AMEND: 3406(b)
 03/17/08 AMEND: 3700(c)
 03/13/08 AMEND: 6860
 03/12/08 AMEND: 3434(b)
 03/12/08 AMEND: 3406(b)
 03/05/08 AMEND: 3875
 03/04/08 AMEND: 3867
 03/03/08 AMEND: 3591.20
 02/22/08 AMEND: 3434(b)
 02/21/08 AMEND: 6393
 02/11/08 AMEND: 3434(b)
 02/08/08 AMEND: 3591.20

Title 4

06/24/08 ADOPT: 12335, 12340, 12357 AMEND: 12342, 12343, 12344, 12345, 12358, 12359
 05/23/08 ADOPT: 1843.3 AMEND: 1843.2
 05/01/08 AMEND: 1844
 04/08/08 AMEND: 1467
 03/24/08 AMEND: 10177, 10178, 10181, 10182, 10187, 10188, 10189
 02/29/08 ADOPT: 8102, 8102.1, 8102.2, 8102.3, 8102.4, 8102.5, 8102.6, 8102.7, 8102.8, 8102.9, 8102.10, 8102.11, 8102.12, 8102.13, 8102.14, 8102.15 AMEND: 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101

Title 5

06/24/08 AMEND: 80021
 06/19/08 AMEND: 4600(I)
 06/13/08 ADOPT: 55185, 57017 AMEND: 55180, 57001.7, 58003.4, 58770, 58771, 58774
 06/10/08 AMEND: 30910, 30911, 30912, 30913, 30914, 30916
 06/10/08 AMEND: 30920, 30921, 30922, 30923, 30924, 30925, 30927
 06/09/08 ADOPT: 19828.3, 19837.2 AMEND: 19816, 19816.1, 19828.2, 19837.1, 19846
 05/28/08 ADOPT: 18085.5, 18086.1 AMEND: 18086, 18087, 18088, 18091, 18101, 18102, 18104
 05/21/08 ADOPT: 6105 AMEND: 6100, 6104
 05/13/08 AMEND: 15440, 15441, 15442, 15443, 15444, 15445, 15446, 15447, 15448, 15449, 15450, 15451, 15452, 15453, 15454, 15455, 15456, 15457, 15458, 15459, 15460, 15461, 15462, 15463, 15464, 15467, 15468, 15469, 15471, 15471.1, 15471.2, 15472, 15473, 15474, 15475, 15476, 15477, 15478, 15479, 15479.5, 15480, 15481, 15483, 15484, 15485, 15486, 15487, 15488, 15489, 15490, 15493
 05/05/08 ADOPT: 11315.5 and 11315.6 AMEND: 11315
 05/01/08 AMEND: 80440, 80443
 04/21/08 ADOPT: 18134
 04/21/08 ADOPT: 18134
 03/03/08 ADOPT: 9510.5, 9512, 9513, 9514, 9525 AMEND: 9510, 9511, 9515, 9516, 9517, 9518, 9519, 9521, 9522, 9523, 9524, 9527, 9528, 9529, 9530 REPEAL: 9517.1, 9520
 02/28/08 ADOPT: 11969.10, 11969.11 AMEND: 11969.1, 11969.2, 11969.3, 11969.4, 11969.6, 11969.7, 11969.8, 11969.9
 02/25/08 AMEND: 41301
 02/22/08 AMEND: 3051.16, 3065

Title 7

06/10/08 ADOPT: 236.1

Title 8

06/30/08 ADOPT: 4300.1 AMEND: 4297, 4300
 06/06/08 AMEND: 1710(k)(2)
 05/19/08 AMEND: 1529, 5208, 8358
 05/19/08 AMEND: 1710
 05/19/08 AMEND: 797, 1604.10, 1601.21, 1662
 05/05/08 ADOPT: 2340.2, 2340.5, 2340.8, 2340.10, 2340.12, 2340.14; Article 6, Sections 2360.1 through 2360.5; Sections

	2375.7, 2375.25, 2380.1, 2390.10, 2390.20, Article 12, Sections 2400.1, 2400.2; Sections 2418.2, 2418.3, 2418.4, 2418.5, 2418.6, 2420.4, 2420.5, 2420.6, 2420.7, 2473.1, 2473.2, 2480.5, 2480.9, 2484.5, 2484.6; Article 48.1, Sections 2485.1, 2485.2; Sections 2505.2, 2510.8, 2522.20, 2530.120, 2530.121; Article 58.1, Section 2535.1; Sections 2540.11, 2540.11 Figure S-1, 2560.3; Article 74.1, Sections 2562.1 through 2562.7; Article 77.1, Sections 2566.1 through 2566.3; Article 77.2, Sections 2567.1 through 2567.3; Sections 2569.5, 2571.9, 2571.30; Article 83, Sections 2583.1 through 2583.8; Article 84, Sections 2584.1 through 2584.8; Article 85, Sections 2585.1 through 2585.3; Article 86, Sections 2586.1 through 2586.4; Article 87, Sections 2587.1 through 2587.5; Article 88, Sections 2588.1 through 2588.3; Article 89, Sections 2589.1 and 2589.2. AMEND: 2300, 2305.2, 2305.4, 2340.9, 2340.11, 2340.13, 2340.16, Table 2340.16, 2340.17, 2340.18, 2340.21, 2340.22; Article 5, Section 2350.2; Sections 2375.1, 2375.18, Table 2375.18, Sections 2375.19, 2390.1, 2390.24, 2390.41, 2390.81, 2395.3, 2395.5, 2395.6, 2395.23, 2395.25, 2395.32, 2395.42, 2395.44, 2395.45, 2395.57, 2395.58, 2405.1, 2405.2; Article 16, Sections 2420.3; Article 45; Sections 2480.6, 2480.7, 2484.24, 2500.7, 2500.8, 2500.9, 2500.10, 2500.11, 2500.23, 2505.10, 2505.11, 2510.4, 2510.5, 2510.6, 2510.7, 2510.56, 2510.58, 2522.2, 2530.4, 2530.102, 2530.103, 2530.104, 2530.107, 2530.112, 2533.1, 2534.6, 2534.8, 2540.1, 2540.2, 2540.3, 2540.4, 2560.2, 2561.1, 2561.3, 2561.31, 2561.32, 2563.23, 2563.33; Article 77, Section 2565.3; Sections 2568.8, 2568.15, 2569.1, 2569.6, 2569.7, 2569.20, 2569.51; Article 80, Sections 2571.1 and 2571.16. REPEAL: 2340.23, 2350.11, 2390.83, 2395.7, 2395.33, 2395.43, 2395.50, 2480.8, 2522.8 and 2561.50.	04/01/08	ADOPT: 3140, 3141, 3141.1, 3141.2, 3141.3, 3141.4, 3141.5, 3141.6, 3141.7, 3141.8, 3141.9, 3141.10, 3141.11, 3141.12, 3141.13, 3142, 3142.1, 3142.2, 3143, 3144, 3145, 3146 AMEND: 3000, 3001, 3009, 3094.2, 3120.6, 3137
		03/05/08	AMEND: 1504, 1597
		03/05/08	AMEND: 3228
		02/29/08	AMEND: 3270
		Title 9	
		07/02/08	AMEND: 9515(d), 10522(b)
		03/06/08	AMEND: 10025, 10057, 10515, 10518, 10524, 10545, 10550, 10606, 11014, 11017, 11024, 13070
		02/28/08	ADOPT: 7024.9, 7025.4, 7136.4, 7136.5, 7136.6, 7136.7, 7136.8, 7136.9, 7137, 7138, 7179.4, 7179.5 REPEAL: 7136.5
		02/13/08	ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.225, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3410, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650 REPEAL: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415
		Title 10	
		07/07/08	ADOPT: 2699.6602, 2699.6604 AMEND: 2699.6603, 2699.6605, 2699.6607, 2699.6608, 2699.6611, 2699.6625
		06/24/08	ADOPT: 2232.45.1, 2232.45.2, 2232.45.3, 2232.45.4, 2232.45.5 AMEND: 2536.2
		06/16/08	AMEND: 2318.6, 2353.1
		06/02/08	ADOPT: 10.190202
		05/27/08	AMEND: 2249.2-2249.9, 2249.12, 2249.15
		05/16/08	ADOPT: 2642.8, 2644.28 AMEND: 2642.6, 2642.7, 2644.2, 2644.3, 2644.6,
04/11/08	AMEND: 7016(c)		
04/07/08	AMEND: 10116, 10116.1, 10117.1, 10118.1, 10119, 10120, 10121, 10136, 10137, 10225, 10225.1, 10225.2		

	2644.7, 2644.8, 2644.12, 2644.16, 2644.17, 2644.19, 2644.20, 2644.21, 2644.23, 2644.25, 2644.27	06/23/08	AMEND: 18660.23, 18660.24, 18660.25, 18660.33, 18660.34
04/30/08	AMEND: 2697.6, 2697.61	06/20/08	AMEND: 360, 361, 362, 363, 364, 551, 708, 712
04/29/08	ADOPT: 10.19900, 10.19901	06/18/08	ADOPT: 355
04/28/08	AMEND: 310.111	06/16/08	AMEND: 10602, 10800
03/27/08	AMEND: 2699.6500, 2699.6805, 2699.6803	05/15/08	AMEND: 353, 475
03/20/08	AMEND: 1950.314.8	05/09/08	AMEND: 27.20, 27.25, 27.30, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.51, 28.52, 28.53, 28.54, 28.55, 28.56, 28.57, 28.58
03/18/08	AMEND: 2498.6	05/02/08	AMEND: 825.05
03/12/08	ADOPT: 2699.402 AMEND: 2699.100, 2699.205, 2699.6600, 2699.6607, 2699.6608, 2699.6613, 2699.6625, 2699.6629, 2699.6813	04/28/08	ADOPT: 17987, 17987.1, 17987.2, 17987.3, 17987.4, 17987.5
03/06/08	AMEND: 260.241, 260.241.2 REPEAL: 260.218.5, 260.241.1	04/28/08	AMEND: 815.05
02/22/08	ADOPT: 2695.20, 2695.21, 2695.22, 2695.23, 2695.24, 2695.25, 2695.26, 2695.27, 2695.28	04/25/08	AMEND: 17210.2, 17210.4, 17855.2, 17862, 17867
02/14/08	ADOPT: 2790.8, 2790.9	04/07/08	AMEND: 228(b)(1)
02/11/08	AMEND: 5101	04/04/08	AMEND: 27.80
Title 11		03/26/08	AMEND: 630
07/08/08	ADOPT: 30.14	03/14/08	ADOPT: 13255.1 AMEND: 13055, 13111, 13169, 13255.0, 13255.1, 13255.2, 13576
06/17/08	AMEND: 1005, 1007, 1008, 1080	03/14/08	ADOPT: 5.79, 5.88, 29.16, 29.91 AMEND: 1.74, 5.80, 5.81, 5.87, 27.90, 27.91, 27.92, 29.15, 29.90, 701
05/28/08	AMEND: 2000, 2001, 2010, 2020, 2030, 2037, 2038, 2050, 2051, 2052, 2053, 2060, 2070, 2071, 2072, 2140	03/13/08	AMEND: 671
04/14/08	AMEND: 1081	03/10/08	ADOPT: 18218, 18218.1, 18218.2, 18218.3, 18218.4, 18218.5, 18218.6, 18218.7, 18218.8, 18218.9
02/29/08	AMEND: 1009, 1070, 1071, 1082, 1083	02/28/08	AMEND: 17211.1, 17211.4, 17211.7, 17211.9
Title 13		02/28/08	ADOPT: 749.3
06/16/08	ADOPT: 156.01	02/19/08	AMEND: 7.50
06/16/08	AMEND: 1961, 1965	02/13/08	ADOPT: 704
06/10/08	AMEND: 2222	02/11/08	ADOPT: 787.0, 787.1, 787.2, 787.3, 787.4, 787.5, 787.6, 787.7, 787.8, 787.9
06/02/08	AMEND: 1141	Title 15	
05/16/08	ADOPT: 2449, 2449.1, 2449.2, 2449.3	07/08/08	ADOPT: 3334 AMEND: 3000
05/01/08	AMEND: 1	06/23/08	ADOPT: 2275
04/28/08	AMEND: 120.00, 120.01, 120.02, 124.93, 124.95 REPEAL: 120.04	06/04/08	AMEND: 3190, 3191
04/10/08	AMEND: 1202.1, 1202.2, 1232	05/23/08	ADOPT: 1417 AMEND: 1029, 1206, 1248, 1357, 1358, 1461
04/07/08	AMEND: 2451, 2452, 2453, 2458, 2461	04/18/08	AMEND: 3291, 3293
03/07/08	AMEND: 345.02, 345.06, 345.21, 345.22	04/07/08	AMEND: 3173.2
03/04/08	AMEND: 2485	03/27/08	ADOPT: 2536.1
02/08/08	AMEND: 621, 691, 693, 699	03/18/08	ADOPT: 3269 AMEND: 3315
Title 13, 17		03/18/08	ADOPT: 3486 AMEND: 3482, 3484, 3485
07/02/08	AMEND: 2299.1, 93118	03/06/08	ADOPT: 3355.2 AMEND: 3030, 3050, 3268.2, 3355, 3355.1
Title 14		02/25/08	ADOPT: 3075.4 AMEND: 3000
07/08/08	ADOPT: 124.1 AMEND: 122, 125, 149.1, 150, 150.02, 150.03, 150.05, 163, 163.5, 164, 174, 180.3	Title 16	
07/02/08	AMEND: 7.50	07/09/08	ADOPT: 1984
07/01/08	AMEND: 27.80		
06/30/08	AMEND: 120.7		

07/08/08	AMEND: 1399.540	35050, 35051, 35052, 35053, 35054,
07/03/08	AMEND: 1568	35055, 35056, 35057, 35061, 35065,
07/02/08	AMEND: 390, 390.1, 390.3, 390.4,	35066, 35067, 35070, 35072, 35076,
	390.5, 390.6 REPEAL: 390.2	35078, 35080, 35081, 35082, 35083,
06/30/08	ADOPT: 119.7	35085, 35087, 35089, 35091, 35093,
06/26/08	AMEND: 109, 116	35095, 35096, 35097, 35099, 36000,
06/17/08	ADOPT: 4580	36100 REPEAL: 35023
06/16/08	ADOPT: 4400, 4402, 4404, 4406, 4420,	04/21/08 AMEND: 54355
	4422, 4424, 4426, 4428, 4500, 4520,	04/21/08 AMEND: 93115.4, 93115.6, 93115.10
	4522, 4540, 4542, 4560, 4562	04/18/08 ADOPT: 93120, 93120.1, 93120.2,
06/11/08	REPEAL: 1399.664	93120.3, 93120.4, 93120.5, 93120.6,
06/04/08	AMEND: 931	93120.7, 93120.8, 93120.9, 93120.10,
05/21/08	AMEND: 4141	93120.11, 93120.12
05/20/08	AMEND: 905	04/11/08 ADOPT: 30333.05, 30333.07, 30333.3,
05/19/08	ADOPT: 4440, 4442, 4443, 4444, 4446,	30335.1, 30335.2, 30335.3, 30335.4,
	4448, 4450, 4452, 4470, 4472, 4474,	30335.5, 30335.6, 30335.10, 30336.1,
	4476, 4478, 4480, 4482, 4484	30336.5, 30336.6, 30336.7, 30336.8,
05/16/08	AMEND: 1399.696, 1399.697	30338 AMEND: 30195.3, 30295, 30330,
05/12/08	AMEND: 1399.523	30331, 30332, 30332.1, 30332.2,
05/08/08	REPEAL: 3300	30332.3, 30332.4, 30332.5, 30332.6,
05/07/08	ADOPT: 1364.32 AMEND: 1364.30	30332.7, 30332.8, 30333, 30333.1,
05/02/08	AMEND: 1079.2	30333.2, 30334, 30336, 30337 REPEAL:
04/29/08	AMEND: 1970, 1970.4(a), 1973(b)	30335
04/24/08	AMEND: 1387.3	04/03/08 AMEND: 6508
04/24/08	AMEND: 3000	04/02/08 AMEND: 93119
04/17/08	AMEND: 1399.660	04/02/08 AMEND: 93119
04/16/08	ADOPT: 973, 973.1, 973.2, 973.3, 973.4,	03/17/08 ADOPT: 100700
	973.5, 973.6	03/10/08 ADOPT: 30704, 30712, 30713 AMEND:
04/14/08	AMEND: 1380.1	30700, 30701, 30702, 30703, 30710,
04/10/08	AMEND: 4123	30711, 30714, 30720, 30721, 30722,
04/01/08	AMEND: 1381.5, 1388, 1388.6, 1392	30723, 30730, 30735, 30736, 30740,
03/26/08	AMEND: 3065	30741, 30750, 30751, 30752, 30753
03/24/08	AMEND: 974	REPEAL: 30715, 30724, 30734.1
03/18/08	AMEND: 1399.651	03/04/08 ADOPT: 100400, 100401, 100402,
03/12/08	AMEND: 1435.2	100403, 100404, 100405, 100406,
02/19/08	AMEND: 1887.2, 1887.3	100407, 100408, 100409, 100410
02/15/08	AMEND: 30, 95, 95.2, 95.6	02/19/08 AMEND: 70100.1, 70200
Title 17		02/14/08 ADOPT: 30410, 30410.2 AMEND:
07/08/08	AMEND: 95005	30421, 30424, 30445, 30447
07/02/08	AMEND: 2299.1, 93118	02/13/08 AMEND: 2500, 2502
06/12/08	ADOPT: 94016, 94168 AMEND: 94010,	02/06/08 ADOPT: 2641.56, 2641.57 AMEND:
	94011	2641.5, 2641.30, 2641.35, 2641.45,
05/30/08	AMEND: 100080, 100085, 100090,	2641.55, 2643.5, 2643.10, 2643.15
	100100	REPEAL: 2641.75, 2641.77
04/30/08	ADOPT: 35004, 35005.1, 35031, 35088,	02/06/08 ADOPT: 2641.56, 2641.57 AMEND:
	36050 AMEND: 35001, 35002, 35003,	2641.5, 2641.30, 2641.35, 2641.45,
	35005, 35006, 35007, 35008, 35009,	2641.55, 2643.5, 2643.10, 2643.15
	35010, 35012, 35013, 35014, 35015,	REPEAL: 2641.75, 2641.77
	35016, 35018, 35019, 35020, 35021,	
	35022, 35025, 35026, 35027, 35028,	Title 18
	35029, 35030, 35032, 35033, 35034,	06/23/08 AMEND: 19503
	35035, 35036, 35037, 35038, 35039,	06/10/08 ADOPT: 2558, 2559, 2559.1, 2559.3,
	35040, 35041, 35042, 35043, 35044,	2559.5
	35045, 35046, 35047, 35048, 35049,	06/04/08 AMEND: 23038(b)-2, 23038(b)-3
		04/29/08 AMEND: 25137(c)(1)(D)

04/23/08	AMEND: 1620	15013, 15014, 15015, 15016, 15017,
04/10/08	AMEND: 1570	15018, 15019, 15020, 15021, 15022,
Title 19		15023, 15024, 15025, 15026, 15027,
06/06/08	AMEND: 200, 203, 204, 206, 207, 208,	15028, 15029, 15030, 15031, 15032,
	209, 211, 212, 214, 215, 216, 217	15033, 15034, 15035, 15036, 15037,
04/23/08	ADOPT: 2660 AMEND: 2720, 2723,	15038, 15039, 15040
	2724, 2725, 2726, 2728	05/08/08 ADOPT: 66260.201 AMEND: 66260.10,
02/20/08	AMEND: Division 2, Chapter 4, Article	66261.9, 66273.1, 66273.3, 66273.6,
	4, Section 2729.2 and Appendices A I, II,	66273.8, 66273.9, 66273.12, 66273.13,
	III and Appendices B I, II, III	66273.14, 66273.20, 66273.32,
Title 20		66273.33, 66273.34, 66273.40,
05/20/08	AMEND: 2323(a), 2323(b), 2323(c),	66273.51, 66273.53, 66273.56,
	2323(d), 2323(e), 2323(f), 2325(a),	66273.82, 66273.83, 66273.90,
	2329(c), 2329(e), 2330(a), 2332(d),	Appendix X to Chapter 11
	2333(a), 2335(b)	05/06/08 ADOPT: 72038, 72077.1, 72329.1
04/15/08	ADOPT: 2320, 2321, 2322, 2323, 2324,	AMEND: 72077, 72329
	2325, 2326, 2327, 2328, 2329, 2330,	04/18/08 AMEND: 4410 REPEAL: 4410.5
	2331, 2332, 2333, 2334, 2335, 2336,	04/15/08 AMEND: 50960.2, 50960.4, 50960.6,
	2337, 2338, 2339, 2340, Appendix A	50960.9, 50960.12, 50960.15, 50960.21,
Title 21		50960.23, 50960.26, 50960.29,
06/30/08	ADOPT: 111, 112, 113, 114, 121, 131,	50960.32, 50960.34, 50960.36, 50962,
	132, 133, 134, 135, 136, 141, 151, 152,	50963, 50964, 50965, 50966
	153	03/27/08 AMEND: 12705(b)
02/15/08	AMEND: 1575	03/18/08 AMEND: 12000
Title 22		03/03/08 AMEND: 926-3, 926-4, 926-5
06/26/08	AMEND: 100140, 100141, 100163,	02/28/08 AMEND: 51000.3, 51000.30, 51000.50
	100172, 100174	02/08/08 ADOPT: 64551.10, 64551.20, 64551.30,
06/23/08	AMEND: 12805	64551.35, 64551.40, 64551.60,
06/17/08	ADOPT: 25000, 25102, 25103, 25104,	64551.70, 64551.100, 64552, 64554,
	25201, 25203, 25204, 25301, 25302,	64556, 64558, 64560, 64560.5, 64561,
	25303, 25304, 25305, 25306, 25401,	64570, 64572, 64573, 64575, 64576,
	25403, 25405, 25501, 25502, 25503,	64577, 64578, 64580, 64582, 64583,
	25504, 25505, 25601, 25701, 25703,	64585, 64591, 64600, 64602, 64604
	25705, 25707, 25709, 25711, 25713,	AMEND: 64590, 64593, 64654, 64658
	25721, 25801, 25803, 25805, 25821,	REPEAL: 64417, 64555, 64560, 64562,
	25900, 25901, 25902, 25903, 27000,	64563, 64564, 64566, 64568, 64570,
	28001, 28002, 28003, 28004, 28006,	64600, 64602, 64604, 64612, 64622,
	28007, 28008, 28009, 28010, 28011,	64624, 64626, 64628, 64630, 64632,
	28012, 28013, 28014, 28015, 28016,	64634, 64636, 64638, 64640, 64642,
	28017, 28018, 28019, 28020, 28021,	64644
	28022, 28023, 28024, 28025, 28026,	02/06/08 AMEND: 2708(c)-1
	28027, 28028, 28029, 28030, 28031,	02/06/08 AMEND: 2708(c)-1
	28032, 28033, 28034, 28035, 25036,	Title 22, MPP
	28037, 28038, 28039, 28040 REPEAL:	07/09/08 ADOPT: 88054, 89318 AMEND: 80017,
	12000, 12102, 12103, 12104, 12201,	83017, 83064, 83075, 84065, 84068.2,
	12203, 12204, 12301, 12302, 12303,	84090, 84165, 84265, 86065, 86068.2,
	12304, 12305, 12306, 12401, 12403,	86517, 88001, 88022, 88031, 88065.3,
	12405, 12501, 12502, 12503, 12504,	88068.2, 88069.7, 89317, 89378, 89405
	12505, 12601, 12701, 12703, 12705,	06/30/08 AMEND: 63-300, 63-504, 63-505,
	12707, 12709, 12711, 12713, 12721,	63-601
	12801, 12803, 12805, 12821, 12900,	03/05/08 AMEND: 87101, 87102, 87106, 87107,
	12901, 12902, 12903, 14000, 15001,	87110, 87111, 87112, 87113, 87114,
	15002, 15003, 15004, 15006, 15007,	87115, 87116, 87117, 87118, 87218,
	15008, 15009, 15010, 15011, 15012,	87219, 87219.1, 87220, 87222, 87223,

87224, 87225, 87226, 87227, 87227.1, 87228, 87229, 87230, 87231, 87235, 87236, 87340, 87342, 87342.1, 87343, 87344, 87345, 87346, 87451, 87452, 87453, 87454, 87455, 87455.1, 87457, 87458, 87560, 87561, 87562, 87564, 87564.2, 87564.3, 87564.4, 87564.5, 87565, 87566, 87567, 87568, 87569, 87570, 87571, 87572, 87573, 87574, 87575, 87575.1, 87575.2, 87576, 87577, 87578, 87579, 87580, 87581, 87582, 87583, 87583.1, 87584, 87585, 87586, 87587, 87588, 87589, 87590, 87591, 87592, 87593, 87686, 87689, 87690, 87691, 87692, 87700, 87701, 87701.1, 87701.2, 87701.3, 87701.5, 87702, 87702.1, 87703, 87704, 87705, 87706, 87707, 87708, 87709, 87710, 87711, 87713, 87716, 87716.1, 87720, 87721, 87722, 87724, 87725, 87725.1, 87730, 87730.1, 87730.2, 87731, 87731.1, 87731.2, 87731.3, 87731.4, 87755, 87756, 87757, 87758, 87759, 87761, 87763, 87766, 87768, 87769, 87775, 87777, 87785, 87786, 87787, 87788, 87789, 87791, 87792, 87793 REPEAL: 87725.2

Title 22, 27

07/07/08 AMEND: Title 22, 67450.11; Title 27, Div. 3, subd. 1, Chapter 4C. and Chapter 6

Title 23

07/01/08 AMEND: 3935
06/27/08 ADOPT: 3949.5
06/26/08 ADOPT: 2918
05/13/08 ADOPT: 3919.3
05/12/08 AMEND: 3947
05/12/08 AMEND: 3939.22
03/10/08 ADOPT: 3919.2
02/28/08 ADOPT: 3919.1
02/11/08 ADOPT: 3939.27
02/08/08 ADOPT: 3939.28
02/08/08 ADOPT: 3939.30

Title 25

04/02/08 ADOPT: 7201, 7205, 7205.1, 7205.2, 7205.3, 7206, 7207, 7209, 7211, 7215, 7225, 7231 AMEND: 7200, 7202, 7204, 7206 (renumbered to 7209.5), 7208, 7210, 7212, 7218 (renumbered to 7217), 7220, 7222, 7224, 7226, 7228, 7230, 7232, 7234, 7239 (renumbered to 7201) REPEAL: 7214, 7216
04/01/08 AMEND: 6932

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06/17/08 ADOPT: 25000, 25102, 25103, 25104,

25201, 25203, 25204, 25301, 25302, 25303, 25304, 25305, 25306, 25401, 25403, 25405, 25501, 25502, 25503, 25504, 25505, 25601, 25701, 25703, 25705, 25707, 25709, 25711, 25713, 25721, 25801, 25803, 25805, 25821, 25900, 25901, 25902, 25903, 27000, 28001, 28002, 28003, 28004, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, 28015, 28016, 28017, 28018, 28019, 28020, 28021, 28022, 28023, 28024, 28025, 28026, 28027, 28028, 28029, 28030, 28031, 28032, 28033, 28034, 28035, 25036, 28037, 28038, 28039, 28040 REPEAL: 12000, 12102, 12103, 12104, 12201, 12203, 12204, 12301, 12302, 12303, 12304, 12305, 12306, 12401, 12403, 12405, 12501, 12502, 12503, 12504, 12505, 12601, 12701, 12703, 12705, 12707, 12709, 12711, 12713, 12721, 12801, 12803, 12805, 12821, 12900, 12901, 12902, 12903, 14000, 15001, 15002, 15003, 15004, 15006, 15007, 15008, 15009, 15010, 15011, 15012, 15013, 15014, 15015, 15016, 15017, 15018, 15019, 15020, 15021, 15022, 15023, 15024, 15025, 15026, 15027, 15028, 15029, 15030, 15031, 15032, 15033, 15034, 15035, 15036, 15037, 15038, 15039, 15040

03/21/08 AMEND: 15100, 15110, 15140, 15150, 15160, 15170, 15185, 15186, 15187, 15187.1, 15190, 15200, 15210, 15220, 15230, 15240, 15241, 15250, 15260, 15280, 15290, 15300, 15310, 15330, 15400.2, 15600

02/25/08 ADOPT: 21815 AMEND: 21780, 21790, 21800, 21820, 21825, 21830, 21840, 21865, 22234, 22240, 22243, 22244, 22246, 22247, 22248, 22249, 22249.5, 22251, 22252, 22253, Division 2 — Appendix 3

Title MPP

06/30/08 AMEND: 63–300, 63–504, 63–505, 63–601
06/30/08 AMEND: 42–721, 42–780, 44–303, 44–307, 44–318, 82–812
06/26/08 ADOPT: 40–037, 70–101, 70–102, 70–103, 70–104, 70–105 AMEND: 30–755, 30–770, 40–105, 42–430, 42–431, 42–433, 42–711, 49–020, 49–030, 49–060, 63–403, 69–201, 69–202, 69–205
06/04/08 AMEND: 63–301